



FEDERAL COMMUNICATIONS COMMISSION  
Enforcement Bureau, Telecommunications Consumers Division  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

September 5, 2008

**Via First Class United States Mail**

Agent for service of process for  
Woolstock Fiber Company  
James Troup  
Venable LLP  
575 7th Street, NW  
Washington, DC 20004

Re: File No. EB-08-TC-6059

Dear Sir or Madam:

The Enforcement Bureau ("Bureau") of the Federal Communications Commission is investigating potential violations of section 222 of the Communications Act of 1934, as amended, 47 U.S.C. § 222 and section 64.2009(e) of the Commission's rules, 47 C.F.R. § 64.2009(e), regarding customer proprietary network information ("CPNI"). The Instructions for responding to this letter and the Definitions for certain terms used in this letter are contained in the attachment hereto. We direct Woolstock Fiber Company (also referred to as "Company") to provide the information and documents specified below within 10 business days from the date of this letter.

Unless otherwise indicated, the period of time covered by these inquiries is January 1, 2007 to the present.

**Documents and Information to be Provided**

1. Did Woolstock Fiber Company file a 47 C.F.R. §64.2009(e) compliance certificate for the calendar year 2007 on or before March 1, 2008 in EB Docket 06-36? If so, provide a copy and evidence of filing. If not, please submit a detailed explanation of why not.

**Filing Requirements**

We direct the Company to support its responses with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of the company with personal knowledge of the representations provided in the Company's response, verifying the truth and accuracy of the information therein and that all of the information requested by this letter that are in the Company's possession, custody, control or knowledge have been produced. If multiple Company employees contribute to the response, in addition to such general affidavit or declaration of the authorized officer of the company noted above, if such officer (or any other affiant or declarant) is relying on the personal knowledge of any other individual, rather than his or her own knowledge, provide separate affidavits or declarations of each such individual with personal knowledge that identify clearly to which responses the affiant or declarant with such personal knowledge is attesting. All such declarations provided must comply with Section 1.16 of the Commission's rules,<sup>1</sup> and be substantially in the form set forth therein.

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<sup>1</sup> See 47 C.F.R. § 1.16.

To knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment.<sup>2</sup> Failure to respond appropriately to this letter of inquiry may constitute a violation of the Communications Act and our rules.

The company shall direct its response via e-mail to [robert.somers@fcc.gov](mailto:robert.somers@fcc.gov) and to [marcy.greene@fcc.gov](mailto:marcy.greene@fcc.gov). The company may also send its response, if sent by messenger or hand delivery, to Robert Somers, Senior Attorney, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554, Room 4-C124, with a copy to Marcy Greene, Deputy Division Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, Washington, D.C. 20554, Room 4A-263. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail), the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Robert Somers, Senior Attorney, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554, Room 4-C124, with a copy to Marcy Greene, Deputy Division Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, Washington, D.C. 20554, Room 4A-263.

Sincerely,

/s/ Marcy Greene

Marcy Greene  
Deputy Division Chief  
Enforcement Bureau

cc: Colleen Heitkamp  
Robert Somers

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<sup>2</sup> See 18 U.S.C. § 1001; see also 47 C.F.R. § 1.17.

## ATTACHMENT

### Instructions

*Request for Confidential Treatment.* If the Company requests that any information or documents responsive to this letter be treated in a confidential manner, it shall submit, along with all responsive information and documents, a statement in accordance with section 0.459 of the Commission's rules. 47 C.F.R. § 0.459. Requests for confidential treatment must comply with the requirements of section 0.459, including the standards of specificity mandated by section 0.459(b). Accordingly, "blanket" requests for confidentiality of a large set of documents are unacceptable. Pursuant to section 0.459(c), the Bureau will not consider requests that do not comply with the requirements of section 0.459.

*Claims of Privilege.* If the Company withholds any information or documents under claim of privilege, it shall submit, together with any claim of privilege, a schedule of the items withheld that states, individually as to each such item: the numbered inquiry to which each item responds and the type, title, specific subject matter and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific ground(s) for claiming that the item is privileged.

*Method of Producing Documents.* Each requested document, as defined herein, shall be submitted in its entirety, even if only a portion of that document is responsive to an inquiry made herein. This means that the document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other documents referred to in the document or attachments. All written materials necessary to understand any document responsive to these inquiries must also be submitted.

*Identification of Documents.* For each document or statement submitted in response to the inquiries stated in the cover letter, indicate, by number, to which inquiry it is responsive and identify the person(s) from whose files the document was retrieved. If any document is not dated, state the date on which it was prepared. If any document does not identify its author(s) or recipient(s), state, if known, the name(s) of the author(s) or recipient(s). The Company must identify with reasonable specificity all documents provided in response to these inquiries.

*Documents No Longer Available.* If a document responsive to any inquiry made herein existed but is no longer available, or if the Company is unable for any reason to produce a document responsive to any inquiry, identify each such document by author, recipient, date, title, and specific subject matter, and explain fully why the document is no longer available or why the Company is otherwise unable to produce it.

*Retention of Original Documents.* With respect only to documents responsive to the specific inquiries made herein and any other documents relevant to those inquiries, the Company is directed to retain the originals of those documents for twelve (12) months from the date of this letter unless (a) the Company is directed or informed by the Enforcement Bureau in writing to retain such documents for some shorter or longer period of time or (b) the Enforcement Bureau or the Commission releases an item on the subject of this investigation, including, but not limited to, a Notice of Apparent Liability for Forfeiture or an order disposing of the issues in the investigation, in which case, the Company must retain all such documents until the matter has been finally concluded by payment of any monetary penalty, satisfaction of all conditions, expiration of all possible appeals, conclusion of any collection action brought by the United States Department of Justice or execution and implementation of a final settlement with the Commission or the Enforcement Bureau.

*Continuing Nature of Inquiries.* The specific inquiries made herein are continuing in nature. The Company is required to produce in the future any and all documents and information that are responsive

to the inquiries made herein but not initially produced at the time, date and place specified herein. In this regard, the Company must supplement its responses (a) if the Company learns that, in some material respect, the documents and information initially disclosed were incomplete or incorrect or (b) if additional responsive documents or information are acquired by or become known to the Company after the initial production. The requirement to update the record will continue for twelve (12) months from the date of this letter unless (a) the Company is directed or informed by the Enforcement Bureau in writing that the Company's obligation to update the record will continue for some shorter or longer period of time or (b) the Enforcement Bureau or the Commission releases an item on the subject of this investigation, including, but not limited to, a Notice of Apparent Liability for Forfeiture or an order disposing of the issues in the investigation, in which case the obligation to update the record will continue until the release of such item.

#### Definitions

For purposes of this letter, the following definitions apply:

"Any" shall be construed to include the word "all," and the word "all" shall be construed to include the word "any." Additionally, the word "or" shall be construed to include the word "and," and the word "and" shall be construed to include the word "or." The word "each" shall be construed to include the word "every," and the word "every" shall be construed to include the word "each."

"Document" shall mean the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made.

"Identify," when used with reference to a person or persons, shall mean to state his/her full legal name, job title (if any), current business address, and business phone number. If business address and/or telephone number are not available, state the person's home address and/or telephone number.

"Identify," when used with reference to a document, shall mean to state the date, author, addressee, type of document (*e.g.*, the types of document, as described above), a brief description of the subject matter, its present or last known location, and its custodian.

"Identify," when used with reference to an entity other than a person, shall mean to state its name, current or last known business address, and current or last known business telephone number.

"Company" shall mean Woolstock Fiber Company, controlled by Woolstock Fiber Company, and any predecessor-in-interest, affiliate, parent company, wholly or partially owned subsidiary, other affiliated company or business, and all owners, including but not limited to, partners or principals, and all directors, officers, employees, or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the period covered by this letter.